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Faculty Senate Resolution 11–10

“On the Working Conditions of Instructors”

Sponsored by Senator Patrick McGee in consultation with Professors Lillian Bridwell-Bowles, Anna Nardo, Barbara Heifferon, and the Executive Committee of the Department of English

Whereas the Department of English provides two required courses for all LSU undergraduates, both of which, **given the financial resources of the university**, are possible to deliver only by employing Instructors;

Whereas the Department of English supports efforts to improve retention and graduation rates for LSU undergraduates, which may be endangered by the release of Instructors;

Whereas for the third consecutive semester, LSU has delivered notices of termination to Instructors;

Whereas term-to-term employment leaves the Department vulnerable to the loss of some of its most-experienced Instructors;

Whereas such an employment practice makes it difficult to replace these losses with comparable candidates;

Whereas the Department of English has long supported Instructors with full-time positions, adequate office arrangements, meaningful career reviews, travel to professional meetings, and some degree of job security;

Whereas many English Instructors have taught at LSU for over twenty years;

Whereas the Modern Language Association and the Coalition for the Academic Workforce have deplored “policies based on outdated assumptions that non-tenure-track faculty members are short-term employees who will make up no more than a small proportion of the faculty” (MLA Issue Brief: The Academic Workforce);

***Whereas* Section 2-7 of the Regulations of the LSU Board of Supervisors states clearly that Instructors “after two or more years of service” on campus require notice of termination at least a year before the expiration of an appointment¹;**

Whereas the Department of English has unanimously approved a petition to award three-year, rolling contracts to Instructors who have passed a rigorous sixth-year review, **and in this petition has requested a revision of Section 2-7 of the Regulations of the LSU Board of Supervisors to include an exception clause for Instructors in English modeled on the clause concerning the Pennington Biomedical Research Center²;**

And whereas other departments on this campus that hire Instructors to teach large numbers of students in required basic courses face a situation similar to that of the Department of English;

Be it resolved that the Faculty Senate expresses its objection to the practice of semester-by-semester, rolling termination notices as **violating the spirit of Section 2-7 of the Regulations of the LSU Board of Supervisors and as** counter to the pedagogical mission of the university **as well as** the academic well-being of students. **The Faculty Senate hereby expresses its support for the petition of the Department of English on three-year rolling contracts for senior Instructors, and** calls on the university administration to create appropriate professional working conditions, including a reasonable degree of job security, for its Instructors **in every program**, possibly modeled on the current petition of the Department of English.

¹ **Here is the relevant passage from the Regulations of the LSU Board of Supervisors:**

When an employee, other than an Associate, is not to be reappointed, written notice to the employee will ordinarily be provided in accordance with the following schedule:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of the year; or, if an initial one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or if an initial two-year appointment terminates during the academic year, at least six months in advance of its termination.
3. At least 12 months before the expiration of an appointment after two or more years service on that campus.
4. When an Associate is not reappointed, the Associate shall be given written notice of termination no less than ninety (90) days prior to the expiration of the employment contract.

² **Here are the relevant passages from the petition dated April 20, 2010:**

In the following specifications regarding rolling contracts, we are following models adopted by the Pennington Biomedical Research Center (See Section 2-7 of the Regulations of the LSU Board of Supervisors), and under consideration by the LSU School of Veterinary Medicine:

Instructors in the Department of English do not acquire tenure through the passage of time. Upon individual recommendation and approval by the President, Instructors who have passed their sixth-year review may receive three-year rolling contracts, i.e., they may be appointed for terms of three years. Instructors with rolling contracts are reviewed annually and reappointments are for three-year terms. A recommendation not to reappoint is with a three-year contract. The Instructor will be notified of a decision not to renew the appointment at least three years before the end of the appointment. Instructors with rolling contracts or on terminal appointments may be terminated for cause at any time with due process.

In developing English Department Instructor policies and the above recommendation, we have consulted both the Board of Supervisors Regulations and PM-23.

Section 2-7 of the Regulations of the LSU Board of Supervisors states, "Those who rank as Associate or Instructor shall be appointed for a specified term and shall not be considered for indeterminate tenure; provided, however, Associates and Instructors hired for an initial term greater than two years may be terminated at the end of the first year if given notice during the first nine months of that year. Otherwise, the provisions of Section 2-7(1)-(4) shall apply."

PM-23, II.B, says "An appointment as an Instructor will be for a specified term, ordinarily no more than one year" (p. 4). "Faculty panel reviews are required as part of the procedure for reappointment decisions in which the term will be for a period longer than one year. . . . The length of reappointment shall be consistent with Bylaws and Regulations of the LSU Board of Supervisors" (p. 22).

Both these documents assume that Instructors may hold terms longer than one year.